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RESPONSE UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1813
PATENT
ATTORNEY DOCKET NO. 3495.0004-04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Montagnier et al.

Serial No.: 08/067,148

Filed: May 26, 1993

For: ANTIBODIES WHICH BIND WITH
PROTEINS OF HUMAN
IMMUNODEFICIENCY VIRUS
TYPE 1 (HIV-1), IMMUNE
COMPLEXES COMPRISING
PROTEINS OF HIV-1, AND
METHODS FOR PREPARING
ANTIBODIES FORMED AGAINST
PROTEINS OF HIV-1

Group Art Unit: 1813

Examiner: J. Stucker

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

INFORMATION DISCLOSURE STATEMENT AND
PETITION UNDER 37 C.F.R. § 1.97(d)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), applicants bring to the attention of the Examiner the document listed on the attached PTO 1449. This Information Disclosure Statement is being filed after a Final Office Action and is accompanied by the Petition fee of \$130.00 and a certification as specified under § 1.97(e). Applicants respectfully petition and request

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that the Examiner consider the listed document and indicate that it was considered by making appropriate notations on the attached form.

Based on reasonable inquiry, the document listed in this Information Disclosure Statement was not known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of this Information Disclosure Statement.

A copy of the listed document is attached.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies the document as prior art against any claims in the application and applicants determine that the cited document does not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

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If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER

By: Michele M. Schafer
Michele M. Schafer
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Dated: November 9, 1994